

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1-6, 8-15, 17-20, 22-24, 26-28 and 30-37 are pending in this application. By this Amendment, claims 1, 12, 13, 14, 15, 20 and 33 are amended and no claims have been cancelled. No new matter is added. Claims 1, 12, 13, 14, and 15 are the independent claims. Example support for the amendments herein may be found at Para. [0029-0039] and Figs. 2-6 of Applicants' application.

Examiner Interview

Initially, Applicants wish to thank Examiner Chi for his time and helpful comments during the telephonic interview of January 22, 2009. During the telephonic interview, Applicants discussed US Patent Publication No. 2003/0188312 (hereinafter, "Bae"). In particular, Applicants discussed Fig. 6 of Bae, which the Examiner agreed only discloses **one type of style information**, as shown by element 92 in the "subtitle head information 90, that is associated with **only the subtitle data** in the "subtitle text information 94." Therefore, **Bae does not disclose two types of style information**, such as the "global style information and local style information" of amended claim 1. Further, as Bae does not disclose different types of style information, Bae can also not disclose "**the global style information** providing at least one of composition information and rendering information **for an overall region including the text subtitle data**, and **the local style information** providing at least one font information for **the text subtitle data**," as recited in amended claim 1. While the above language of amended claim 1 is slightly different than that discussed in the Examiner interview, Applicants respectfully submit that amended claim 1 still overcomes Bae, as discussed in further detail below.

Regarding, the 35 U.S.C. § 101 rejection, the Examiner stated that the language a “computer-readable medium **encoded with a computer** executable data structure,” as shown above in amended claim 1, would overcome the 35 U.S.C. § 101 rejection.

Rejections under 35 U.S.C. § 101

Claims 1-6, and 8-11 are rejected under 35 U.S.C. § 101 because the claims are allegedly directed to non-statutory subject matter. In particular, the Examiner asserts that claims 1-6 and 8-11 recite a computer readable medium which does not “impart functionality to a computer or computing device, and is thus considered nonfunctional descriptive material.” In accordance with the Examiner’s suggestion in the January 22, 2009 Examiner interview, Applicants have amended claim 1 to recite *inter alia*, “encoded with a computer.” Applicants, therefore, respectfully request that the rejection to the above claims under 35 U.S.C. §101 be withdrawn.

Rejections under 35 U.S.C. § 112

The Examiner objects to claim 33 for lacking antecedent basis for the limitation “recording medium”. Applicants, have amended claim 33 to replace the term “recording medium” with “computer-readable medium.” Applicants, therefore, respectfully request that the objection to the above claim be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 1, 5, 6, 8, 9, 13, 21, 24 and 33-37

Claims 1, 5, 6, 8, 9, 13, 21, 24 and 33-37 are rejected under 35 U.S.C. § 103(a) as being unpatentable by US Patent Publication No. 2003/0188312 (hereinafter, “Bae”) and U.S. Patent No. 7,236,687 (hereinafter, “Kato”). Applicants respectfully traverse this rejection for the reasons detailed below.

Amended claim 1 recites *inter alia*, “a text subtitle stream including...global style information and local style information, the global style information providing at least one of composition information and rendering information for an overall region including the text subtitle data, and the local style information providing at least one font information for the text subtitle data.” Therefore, the text subtitle stream of amended claim 1 includes at least two types of style information, with the “global style” of amended claim 1 applying to “an overall region including the text subtitle data” and the “local style” of amended claim 1 applying to only “the text subtitle data.”

The Examiner relies on Fig. 6 of Bae to discuss the above limitation. As disclosed at Para. [0049, 0050] and shown in Fig. 6 of Bae, the subtitle information shown in Fig. 6 provides “subtitle head information 90 consisting of basic information on the subtitle, and subtitle text information 94 consisting of actual subtitles.” In particular, the “subtitle head information 90 includes properties 92 which provide “a title of the DVD title, a subtitle language, a font name for reproducing the subtitle, a font size, [and] a font color.” While the “subtitle text information 94 is stored with frame numbers 96 of the picture to be reproduced and contents 96 of the subtitle,” Therefore, all the style information such as the “font name,” “font size,” and “font color,” is only provided in the “subtitle head information 90.” Further, the “subtitle head information 90” only includes one type of style information that is specific only to the “contents 96 of the subtitle.” Therefore, the style information of the “subtitle head information 90” in Bae does not include secondary or additional style information that is applicable to an overall region, and not just the “contents 96 of the subtitle.” As such, Bae fails to disclose the “the global style information providing at least one of composition information and rendering information for an overall region including the text subtitle data, and the local

style information providing at least one font information for **the text subtitle data**,” as recited in amended claim 1.

For at least the foregoing reasons, amended claim 1 is patentable over Bae. Even assuming *arguendo* that Bae and Kato are combinable (which Applicants do not admit), Kato still fails to remedy the deficiencies of Bae with respect to amended claim 1. Amended independent claims 12-15 recite limitations at least somewhat similar to claim 1 and therefore are patentable for at least somewhat similar reasons. Dependent claims 5, 6, 8, 9, 24 and 33-37 are at least patentable by virtue of their dependency on one of amended independent claims 1 and 12-15. Claim 21 is cancelled. Applicants, therefore, respectfully request that the rejection to the above claims under 35 U.S.C. § 103(a) be withdrawn.

Claims 2-4, 12, 14, 15, 17-20, 22, 23 and 26-32

Claims 2-4, 12, 14, 15, 17-20, 22, 23 and 26-32 are rejected under 35 U.S.C. §103(a) as being unpatentable over Bae, Kato and U.S. Patent No. 5,848,217 (hereinafter, “Tsukagoshi”).

Even assuming *arguendo* that Bae, Kato, and Tsukagoshi are combinable (which Applicants do not admit), Tsukagoshi still fails to remedy the deficiencies of Bae and Kato with respect to amended claims 1 and 12-15. Dependent claims 2-4, 17-20, 22, 23 and 26-32 are at least patentable by virtue of their dependency on one of independent claims 1 and 12-15. Applicants, therefore, respectfully request that the rejection to the above claims under 35 U.S.C. § 103(a) be withdrawn.

Claims 10 and 11

Claims 10 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bae in view of Kato as applied to claim 1 above, and further in view of US Patent Publication No. 2002/0087999 (hereinafter, "Kashima"). Applicants respectfully traverse this rejection for the reasons detailed below.

Even assuming *arguendo* that Bae, Kato and Kashima are combinable (which Applicants do not admit), Kashima still fails to remedy the deficiencies of Bae and Kato with respect to amended claim 1. Dependent claims 10 and 11 are at least patentable by virtue of their dependency on amended independent claim 1. Applicants, therefore, respectfully request that the rejection to the above claims under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

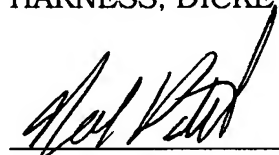
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura, at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By



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